

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

TEXAS EXCAVATION SAFETY	§	
SYSTEM, INC., d/b/a TEXAS811,	§	
	§	
Plaintiff,	§	
	§	
v.	§	CIVIL ACTION NO. 3:18-cv-02827
	§	
ONE CALL CONCEPTS, INC.,	§	
d/b/a LONE STAR 811,	§	
	§	
Defendant.	§	

JOINT NOTICE REGARDING JANUARY 18, 2019, MEDIATION

Plaintiff, TEXAS EXCAVATION SAFETY SYSTEM, INC., D/B/A TEXAS811 (“Texas811”), and Defendant, ONE CALL CONCEPTS, INC., D/B/A LONE STAR 811 (“Lone Star”), file this Joint Notice Regarding January 18, 2019, Mediation and show the Court as follows:

1. On December 14, 2018, Texas811 and Lone Star filed their Joint Report (ECF No. 9) in response to the Court’s November 19, 2018, Order Regarding Status and Scheduling Conference (ECF No. 7). In the Joint Report, Texas811 and Lone Star agreed and proposed that on or before Friday, February 1, 2019, they mediate this lawsuit and that the lawsuit be stayed pending that mediation, with the proposed stay to expire seven (7) days after the mediation if it did not resolve all disputes among the parties. Joint Report, ¶ II.f., at 8.

2. On January 4, 2019, the Court entered its Order (ECF No. 10) granting the parties’ motion to stay as proposed in the Joint Report and directing that the parties file a notice to the Court regarding the outcome of the mediation within five (5) days after the mediation.

3. On January 18, 2019, Texas811 and Lone Star mediated this lawsuit before the Honorable Linda B. Thomas (Ret.). That mediation did not result in a settlement, although the

parties have agreed to continue discussions under the current stay through and including Friday, February 1, 2019. Justice Thomas has agreed to be available to assist the parties in their continued discussions should the need arise. Accordingly, the parties have determined to adjourn the mediation and not consider that an impasse exists at this time.

4. The parties request that the stay remain in effect until Friday, February 1, 2019. The parties propose that they advise the Court on or before Friday, February 8, 2019, the outcome of their further discussions.

Dated: January 22, 2019.

Respectfully submitted,

By: /s/ William B. Chaney

WILLIAM B. CHANEY
State Bar No. 04108500
wchaney@grayreed.com
RUSSELL E. JUMPER
State Bar No. 24050168
rjumper@grayreed.com
TREVOR C. LAWHORN
State Bar No. 24091706
tlawhorn@grayreed.com

GRAY REED & McGRAW LLP
1601 Elm Street, Suite 4600
Dallas, Texas 75201
Telephone: (214) 954-4135
Facsimile: (214) 953-1332

ATTORNEYS FOR PLAINTIFF
TEXAS EXCAVATION SAFETY SYSTEM, INC.,
d/b/a TEXAS811

By: /s/ Matthew M. Prewett

MATTHEW M. PREWETT
State Bar No. 00788223
mprewett@spcounsel.com
BILLY SHEPHERD
State Bar No. 18219700
bshepherd@spcounsel.com
STEPHEN R. BAILEY
State Bar No. 01536660
sbailey@spcounsel.com

SHEPHERD PREWETT PLLC
770 South Post Oak Lane, Suite 420
Houston, Texas 77056
Telephone: (713) 955-4440
Facsimile: (713) 766-6542

ATTORNEYS FOR DEFENDANT
ONE CALL CONCEPTS, INC.,
d/b/a LONE STAR 811

CERTIFICATE OF SERVICE

I certify that on this 22nd day of January, 2019, I electronically filed the Joint Notice Regarding January 18, 2019, Mediation using the Court's CM/ECF Filing System. The Clerk of the Court will send notification of the filing to counsel of record, which constitutes service under Local Rule 5.1(d).

/s/ William B. Chaney

WILLIAM B. CHANEY